

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments.

Applicants filed a Sequence Listing on January 30, 2003, after they incorporated the actual DNA and amino acid sequences of GenBank Accession No. Y08612 into the specification and claims in their paper of October 10, 2002. The present Amendment now incorporates the specific sequence identifiers of those sequences in the specification and claims. Thus, page 6 of the specification, which describes the exact DNA and amino acid sequences of Y08612, now includes references “(SEQ ID NO. 1)” for the DNA sequence and “(SEQ ID NO. 2)” for the amino acid sequence.

Similarly, claims 3, 23, and 24, have been amended to recite “the protein consisting of the amino acid sequence of SEQ ID NO. 2.”

The amendment is fully supported by the specification and Applicants have not introduced any new matter into the claims.

IV. Conclusion

Applicants believe that the claimed invention is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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MARKED-UP VERSION OF THE SPECIFICATION

At page 6, please add the following paragraphs before the “Brief Description of the Drawings”:

The amino acid sequence (SEQ ID NO. 2) of accession number Y08612 is:

MAAAEGPVGDELWQTWLPNHVFLRLREGLKNQSPTEAEKPASSSLPSSPPPPQLLTRNVVFGGLGELFLWDGED
SSFLVVRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMVLELPKRWGKNSEFEGGK
STVNCSTTPVAERFFTSSTSLTLKHAAWYPSEILDPHVLLTSDNVIRIYSLREPQTPTNVIILSEAEESLVLN
KGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYILYENGETFLTYISLLHSPGNIWKAAGSIAHA
SAAEDNYGDACAVLCLPCVPNILVIATESGMLYHCVVLEGEEDDHTSEKSWDSRIDLIPSLYVFECVELELAL
KLASGEDDPFDSDFSCPVKLHRDPKCPSRYHCTHEAGVHSVGLTWIHKLHKFLGSDEEDKDSLQELSTEQKCFVE
HILCTRPLPCRQAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHPASPPLLCTREDVEVAESSLRVLAET
PDSFEKHRSILQRSVANPAFLKASEKDIAPPEECLQLLSRATQVFREQYILKQDLAKEEIQRVVKLLCDQKKK
QLEDLSYCREERKSLREMAERLADKYEEAKEKQEDIMNRMKLLHSFHSSELPVLSDSERDMKKELQLIPDQLRHL
GNAIKQVTMKKDYQQQKMEKVLSPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF.

The nucleic acid sequence (SEQ ID NO. 1) encoding the protein of accession number Y08612 is:

| | | | | | | |
|------|------------|------------|------------|------------|------------|------------|
| 1 | gataaacc | caagacac | aacatact | tgcagcag | gggccaag | ggcgccgc |
| 61 | gagggacc | tggggcag | cgagctgt | cagacctg | ttcctaacc | cgctcgtt |
| 121 | ttgcggct | gggagggc | gaaaaacc | agccaacc | aagctgag | accagctt |
| 181 | tcgtcggt | cttcgtcg | gccgcgcg | ttgctgac | gaaacgtg | ctttggcc |
| 241 | ggcggagc | ttttcctg | ggacggag | gacagctc | tcttagtc | tcgccttc |
| 301 | ggccccag | gcggcgcg | agagcccc | ctgtcccag | accagagat | gctttgcata |
| 361 | aatccacccc | tgtttgaa | ctatcaag | ttgttaag | caacacaac | tcatgtagca |
| 421 | cttatagg | taaaaggc | tatggtata | gaattacct | aaagatggg | gaagaattc |
| 481 | gaatttga | gtggaaaat | aacagtga | tgtagtacc | ctccagttg | ggagagatt |
| 541 | ttcaccagt | ccacctct | gactctaa | catgctgc | ggtatcca | tgaaatcct |
| 601 | gatccccac | tagtgctgt | aacatcag | aacgtaata | gaatttact | tctacgtgag |
| 661 | ccgcagac | ccactaac | gataatact | tcagaagcc | aagaggaaa | tctagtactc |
| 721 | aataaagg | gggcgtata | cgatctcta | ggagagac | cagttgcatt | tgactttggg |
| 781 | ccattggag | cagtcctaaa | gactctatt | ggacaaaac | gcaaagatg | agtagtgga |
| 841 | tacccactg | acatcttata | tgaaaatga | gagactttc | tgacatacat | cagtctgtta |
| 901 | cacagccctg | gaaatattt | gaaagctgt | gggtccatt | cccattgcat | tcgcggctga |
| 961 | gataactat | gttatgatg | gtgtgctgt | ctctgtttac | cctgtgtccc | caatatctta |
| 1021 | gtgatcgta | ctgaatcag | aatgctgtat | cactgtgtcg | tgctagaagg | ggaagaaga |
| 1081 | gatgaccaca | cgtcagaaaa | gtcctgggat | tccaggattg | acctcattcc | ttctctgtat |
| 1141 | gtgtttgaat | gtgttgagtt | ggagcttgct | ttgaaactgg | catctggaga | ggatgaccct |
| 1201 | tttgattctg | acttttctt | tccagtcata | cttcatagag | atcccaagt | tccttcaaga |
| 1261 | tatcactgta | ctcatgaag | tggtgtacat | agtgttggg | taacttgga | tcataaactt |
| 1321 | cacaaattc | ttggatcaga | tgaagaagt | aaggatagtt | tacaggaact | ctctacagaa |
| 1381 | cagaaatgct | ttgttgaa | catcctttg | acgaggccat | tgccctgcag | gcagccagct |
| 1441 | ccaattcgag | gattttggat | tgtacctgac | attctgggac | ccacgatgat | ctgcatcacc |
| 1501 | agtacctatg | aatgcctcat | atggccgtta | ttaagtacag | tccatccagc | gtctcctccc |
| 1561 | ctgctttgta | ctcgagaaga | tggtgaagt | gcagagtctt | ccctccgtgt | tctggctgaa |
| 1621 | accccagatt | cctttgaaaa | gcatattaga | agcattttgc | aacgtagtgt | tgccaatcca |
| 1681 | gcatttttga | aagcttctga | aaaggacata | gccctcctc | ctgaagaatg | ctctcagctc |
| 1741 | ctcagcagag | ccaccaggt | gttcagagag | cagtacattc | tcaaacagga | cttggaagag |
| 1801 | gaggagattc | agcggagggt | caaattatta | tgtgaccaa | aaaagaaaca | actagaagat |
| 1861 | ctcagttatt | gtcgagaaga | gaggaaaagt | ctgcgggaaa | tggctgagcg | tttagctgac |
| 1921 | aaatatgagg | aagctaaaga | aaaacaagag | gatatcatga | acaggatgaa | aaaactactt |
| 1981 | ccagagtttc | actctgagct | cccagttctc | tctgatatgt | agcgagacat | gaagaaagaa |
| 2041 | ttacagctga | tacctgatca | acttcgacat | ttgggcaatg | ccatcaaaca | ggttactatg |
| 2101 | aaaaaggatt | atcaacagca | aaagatggag | aagggtgtga | gtcttccaaa | acccaccatt |
| 2161 | attctcagtg | cctaccagcg | aaagtgcatt | cagtccatcc | tgaagaggga | gggtgaacat |
| 2221 | ataaggga | tggtgaagca | aatcaatgat | atccgcaatc | atgtaaaact | ctgacaccac |
| 2281 | caggagctga | ctcacacctg | aactgaacac | cattgaaggc | ttaaaccat | attgtaaaac |
| 2341 | aggtagaatt | atctaattta | taaaaagggt | ttttgatg. | | |

MARKED-UP VERSION OF THE CLAIMS

13. (Twice amended) A method for identifying a cancer cell comprising:

(a) providing a tissue biopsy sample; and

(b) determining the level of expression in said sample of the protein consisting of the amino acid sequence of SEQ ID NO. 2:

MAAAEGPVG DGELWQTWLPNHVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLTRNVVFG LGGELFLWDGE
DSSFLVRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMVLELPKRWGKNSEFEG
GKSTVNCSTTPVAERFFTSSTSLTLKHAAWYPSEILDPHVLLTSDNVIRIYSLREPQTPTNVIILSEAEESL
VLNKGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYIYENGETFLTYISLLHSPGNIWKAVGS
IAHASAAEDNYGDACAVLCLPCVPNILVIATESGMLYHCVVLEGEEDDHTSEKSWDSRIDLIPSLYVFECVE
LELALKLASGEDDPFDSDFSCPVKLHRDPKCPSRYHCTHEAGVHSVGLTWIHKLHKFLGSDEEDKDSLQELSTE
QKCFVEHILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHPASPPLLCTREDVEVAESS
LRVLAETPDSFEKHRSILQRSVANPAFLKASEKDIAPPPEECLQLLSRATQVFREQYILKQDLAKEEIQRRVK
LLCDQKKKQLEDLSYCREERKSLREMAERLADKYEEAKEKQEDIMNRMKLLHSFHSSELPVLSDSERDMKKELQ
LIPDQLRHLGNAIKQVTMCKDYQQQKMEKVLSPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVN
F,

wherein a sample comprising said protein at a level of expression that is greater than non-cancer cells indicates that said sample comprises a cancer cell.

23. (Twice amended) A diagnostic kit comprising a protein binding molecule, wherein the protein binding molecule binds to the protein consisting of the amino acid sequence of SEQ ID NO. 2:

MAAAEGPVG DGELWQTWLPNHVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLTRNVVFG LGGELFLWDGED
SSFLVRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMVLELPKRWGKNSEFEGGK
STVNCSTTPVAERFFTSSTSLTLKHAAWYPSEILDPHVLLTSDNVIRIYSLREPQTPTNVIILSEAEESLVLN
KGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYIYENGETFLTYISLLHSPGNIWKAVGSIAHA
SAAEDNYGDACAVLCLPCVPNILVIATESGMLYHCVVLEGEEDDHTSEKSWDSRIDLIPSLYVFECVELELAL
KLASGEDDPFDSDFSCPVKLHRDPKCPSRYHCTHEAGVHSVGLTWIHKLHKFLGSDEEDKDSLQELSTEQKCFVE
HILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHPASPPLLCTREDVEVAESSLRVLAET
PDSFEKHRSILQRSVANPAFLKASEKDIAPPPEECLQLLSRATQVFREQYILKQDLAKEEIQRRVKLLCDQKKK
QLEDLSYCREERKSLREMAERLADKYEEAKEKQEDIMNRMKLLHSFHSSELPVLSDSERDMKKELQLIPDQLRHL
GNAIKQVTMCKDYQQQKMEKVLSPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF.

24. (Twice amended) A diagnostic kit comprising a nucleic acid, wherein the nucleic acid anneals specifically to a nucleic acid transcript that encodes the protein consisting of the amino acid sequence of SEQ ID NO. 2:

MAAAEGPVG DGELWQTWLPNHVVFRLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLTRNVVFGLGGELFLWDGED
SSFLVVRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMVLELPKRWGKNSEFEGGK
STVNCSTTPVAERFFTSSTSLTLKHAAYPSEILDPHVLLTSDNVIRIYSLREPQTPTNVIIILSEAEESLVLN
KGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYIYENGETFLTYISLLHSPGNIWKAVGSIAHA
SAAEDNYGYDACAVLCLPCVPNILVIATESGMLYHCVVLEGEEDDHTSEKSWDSRIDLIPSLYVFECVELELAL
KLASGEDDPFDSDFSCPVKLHRDPKCPSRYHCTHEAGVHSVGLTWIHKLHKFLGSDEEDKDSLQELSTEQKCFVE
HILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHPASPPLLCTREDVEVAESSLRVLAET
PDSFEKHIRSILQRSVANPAFLKASEKDIAPPPEECLQLLSRATQVFREQYILKQDLAKEEIQRRVKLLCDQKKK
QLEDLSYCREERKSLREMAERLADKYEEAKEKQEDIMNRMKLLHSFHSSELPVLSDSERDMKKELQLIPDQLRHL
GNAIKQVTMKKDYQQQKMEKVLSPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF.